

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION


U.S. DISTRICT COURT  
2009 OCT 22 PM 4:37  
CLERK B. West  
S.D. OF GA.

WARREN SKILLERN, )  
 )  
Plaintiff, )  
 )  
v. ) CV 309-030  
 )  
CAPTAIN BURNETTE, Warden at Telfair )  
State Prison, and DR. CHENEY, )  
 )  
Defendants. )

**ORDER**

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's motion to proceed *in forma pauperis* (doc. no. 6) is **MOOT**, his "Provisional Motion to Nol Pros" (doc. no. 10) is **DENIED**, this case is **DISMISSED** without prejudice, and this case is **CLOSED**.

SO ORDERED this 22nd day of October, 2009, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE